IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE THIRTY FIRST DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE V.V.S.RAO

WRIT PETITION No.25294 of 2004

Between:

1 Ali Mohammad, S/o Nasar Mohd, H.No. 1-169, R/o Ramadugu,

M.R. Ramadugu,Karimnagar District.
2 Gudise Shankaraiah, S/o Raghavulu, R/o H.No. 2-21.
3 Madichetti Ramesh, S/o Hanmandlu, H.No. 2-26,
4 Bodla Laxman @ Lachaiah, S/o Narsaiah, R/o H.No. 3-58,
5 Bodla Rajesham, S/o Rajaveeru, R/o H.No. 3-62/1,
6 Kothakonda Anjaneyulu, S/o Venkatesham,
H.No. 2-27, All R/o Ramadugu, M.R. Ramadugu,
Karimnagar District.

..... PETITIONERS

AND

The Gram Panchayat, Ramadugu, M.R. Ramadugu,
Karimnagar District, rep. by its Panchayat Secretary.

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ, order or direction, more demolish the residential houses bearing Gram Panchayat H.No.1-169, 2-21, 2-26, 3-58, 3-62/1 and 2-27 belong to the petitioners respectively, situate at Ramadugu, M.R. Ramadugu, Karimnagar District by declaring the action of the respondent in trying to demolish the residential houses as illegal, arbitrary and violative of Article 300-A of Constitution of India without following due process of law.

Counsel for the Petitioners: MR.P.V.NARAYANA RAO

Counsel for the Respondent: SMT.JYOTHI ESWAR GOGINENI

The Court made the following:

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.25294 of 2004

ORDER:

The petitioners are residents of Ramadugu village in Karimnagar District. The Village Secretary of the Gram Panchayat of the said village issued a notice to the petitioners, English translation of which, reads as under.-

GRAM PANCHAYAT OFFICE, RAMADUGU

M.R.:Ramadugu, District: Karimnagar

Date: 28-12-2004.

N O T I C E

Sub:- Notice given to remove the houses for widening the main road in the limits of Ramadugu village – Regarding.

Ref:- Resolution dated 17-8-2004 and letter of Assistant Engineer (R&B) Karimnagar No.S/AE/R&B/B/2004, dated 16-12-2004.

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It is to inform Sri Ali Mohammad S/o.Nasar Mohammed that in the programme of widening the Main road of Ramadugu your H.No.1-69 is objectionable on road as such on receiving the notice within 2 days, as marked by us, you have to remove your house boundaries. Treat it as Last notice. If you have not removed within 2 days time, our personnel will remove the same.

Sd/- xx xx

Village Secretary,

G.P. Ramadugu.

//true copy//

Sd/- xx xx

Counsel for petitioners

The apprehension of the petitioners is that even before they raise objections, the respondent might demolish the properties for the purpose of widening the road. As the time granted, according to the petitioners, is not sufficient, a week's time is

granted to them to file all their objections before the Gram Panchayat, Ramadugu. Unless and until their objections are considered, no coercive action shall be taken insofar as the petitioners are concerned.

The writ petition, with the above observations, is disposed of.

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V.V.S.RAO,J

December 31, 2004.

YS

NOTE:

Issue WIRE at

Party's cost.

(B/o)

ys

To

1. The Panchayat Secretary, Gram Panchayat, Ramadugu, M.R. Ramadugu, Karimnagar District.

2. Two C.D. Copies.